

1 Kelly A. Evans, NV Bar No. 7691
2 Paul S. Prior, NV Bar No. 9324
3 SNELL & WILMER L.L.P.
4 3883 Howard Hughes Parkway, Suite 1100
5 Las Vegas, NV 89169
6 Telephone (702) 784-5200
7 Fax (702) 784-5252

8 Attorneys for Defendant
9 Olympia Land Corporation

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12 UNITED STATES DISTRICT COURT
13
14 DISTRICT OF NEVADA

15 STEPHAN ISENEGGER,
16 Plaintiff,
17 vs.
18 OLYMPIA LAND CORPORATION;
19 DOES 1 to 20,
20 Defendants.

21 CASE NO. _____

22 NOTICE OF REMOVAL

23 TO: THE HONORABLE JUDGES OF THE ABOVE-ENTITLED COURT:
24 PLEASE TAKE NOTICE that pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, Defendant
25 Olympia Land Corporation (“Olympia”), hereby removes to this Court the state court action
26 described below:

27 1. On or about August 19, 2008, an action was commenced in the District Court,
28 Clark County, Nevada, entitled *Stephan Isenegger v. Olympia Land Corporation*, Case Number
A569869. A true copy of the Complaint is attached hereto as Exhibit A.

29 2. The first date upon which Olympia received a copy of said Complaint was
30 August 21, 2008, the date Olympia was served with a copy of the Summons and Complaint. The
31 thirty-day period for removal does not begin to run until a party has received a copy of the
32 Complaint and been properly served. *See Murphy Brothers, Inc. v. Michetti Pipe Stringing, Inc.*,

1 526 U.S. 344, 347-48 (1999). Therefore, this Notice of Removal is timely filed under 28 U.S.C.
2 § 1446(b).

3 3. This is a civil action of which this Court has original jurisdiction pursuant to
4 28 U.S.C. § 1331, and is one which may be removed to this Court by Olympia pursuant to the
5 provisions of 28 U.S.C. § 1441 in that it is a federal question brought under the Fair Labor
6 Standards Act, 29 U.S.C. 216.

7 4. Olympia will also timely file a Notice of Removed Action in District Court, Clark
8 County, Nevada, a true and correct copy of which is attached as Exhibit B.

9 WHEREFORE, Olympia respectfully requests that this Court assume full jurisdiction over
10 the cause herein as provided by law, and that all further proceedings in the District Court, Clark
11 County, Nevada, be stayed.

12 Dated: September 17, 2008

13 SNELL & WILMER L.L.P.

14 By: 

15 Kelly A. Evans, NV Bar No, 7691
16 Paul S. Prior, NV Bar No. 9324
17 3883 Howard Hughes Parkway, Suite 1100
18 Las Vegas, NV 89169
19 Attorneys for Defendant
20 Olympia Land Corporation

CERTIFICATE OF SERVICE

I, the undersigned, declare under penalty of perjury, that I am over the age of eighteen (18) years, and I am not a party to, nor interested in, this action. On this date, I caused to be served a true and correct copy of the foregoing document by the method indicated:

by U. S. Mail

by Facsimile Transmission

by Overnight Mail

by Federal Express

by Hand Delivery

and addressed to the following:

Malik W. Ahmad, Esq.
Law Office of Malik W. Ahmad
7201 West Lake Mead Blvd., Suite 108
Las Vegas, NV 89128
Phone (702) 270-9100
Fax (702) 384-5900
Attorney for Plaintiff

DATED: September 17, 2008

Judith B. Wasson
An employee of Snell & Wilmer

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